

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

**Hearing Date: September 12, 2023**  
**Hearing Time: 10:00 a.m.**

-----X  
In re:

Chapter 7

Jaana Colangelo

Case No. 23-22355-shl

Debtor.  
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**APPLICATION IN SUPPORT OF ORDER AUTHORIZING RETENTION OF  
HOULIHAN LAWRENCE, INC. AS REAL ESTATE BROKER IN CONNECTION  
WITH THE SALE OF THE REAL PROPERTY LOCATED AT  
66 WILSON DRIVE, NEW ROCHELLE, NY 10801**

**TO: THE HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE:**

Jaana Colangelo, the above captioned Debtors (the “Debtors”), by their attorney, Cushner & Associates, P.C., as and for their application for an order pursuant to 11 U.S.C. Section 327 authorizing the retention of Houlihan Lawrence, Inc.: (“HL” or “Agent”) as real estate broker to the Debtors in connection with the prospective sale of certain real property located at 66 Wilson Drive, New Rochelle, NY 10801 as follows:

**The Chapter 7 Case**

1. On or about May 09, 2023 (the “Filing Date”), the Debtor filed a voluntary petition pursuant to Chapter 7 of the Bankruptcy Code (the “Code”). Howard P. Magaliff has been appointed as the Chapter 7 Trustee for the above-referenced case.

2. Debtor own and reside at the Property, which is encumbered by a first mortgage held by Specialized Loan Servicing.

**Request for Retention of Real Estate Broker**

3. The Debtors require the retention of Houlihan Lawrence, Inc. as real estate broker for the Debtors, pursuant to the annexed Exclusive Right to Sell Agreement negotiated by and

between the Broker and the Debtors. HL shall be the broker responsible for procuring a prospective purchaser of the Property. HL's exclusive right to sell the Property will begin upon approval of this Application and expires at midnight on September 21, 2023.

4. The Property is Debtor's property believed to be worth approximately \$770,000, based upon the expertise of Richard L. Halvorsen, NYS licensed residential real estate appraiser. Debtor expects that after payment of closing costs, the Broker's Fee and any outstanding property taxes, there will not be sufficient funds to pay the mortgages in full.

5. Houlihan Lawrence, Inc. shall receive a brokerage commission of 5% (five percent), the standard commission in Westchester County, of the gross contract sales price. HL agrees not to list the Property for less than \$775,000.00 without the consent of the Debtors. It is requested that HL shall be compensated and receive a reimbursement of out-of-pocket expenses only upon the Court's approval of an appropriate Application for Professional Compensation and Reimbursement of Out-of-Pocket Expenses filed with the Court pursuant to Sections 330 and 331, and in accordance with the applicable Bankruptcy Rules, the Local Rules and Orders of this Court and the United States Trustee guidelines.

6. Upon information and belief, HL neither holds nor represents any Interest adverse to the Debtors' estate and is a "disinterested person" within the meaning of Section 101(14) of the Code.

7. The short sale has been approved by the bank.

8. It is respectfully requested that the Court approve HL's Retention.

9. No previous request for the relief sought herein has been made to this or any other court.

**WHEREFORE**, the Debtors respectfully request the entry of the pre-fixed

Order, together with such other and further relief as is just under the circumstances.

Dated: White Plains, New York  
August 16, 2023

CUSHNER & ASSOCIATES, P.C.  
Attorneys for Debtors

By: /s/ Todd S. Cushner  
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